

**SCHOOL DISTRICT 27J  
RESOLUTION NUMBER ONE 2017-2018**

WHEREAS, the Brighton School District No. 27J (the “District”), in the Counties of Adams and Weld and the City and County of Broomfield, State of Colorado, is a public corporation duly organized and existing under the Constitution and the laws of the State of Colorado; and

WHEREAS, the members of the Board of Education of the District (the “Board”) have been duly elected, chosen and qualified; and

WHEREAS, Article X, Section 20 of the Colorado Constitution (“TABOR”) requires voter approval for any new tax, the creation of any debt and for spending certain moneys above limits established by TABOR; and

WHEREAS, the Board has determined that it is in the interest of the District to provide the voters with the opportunity to decide whether to approve a tax increase for District purposes as described in Section 3 below to provide additional funds for the District’s general operating expenses pursuant to Section 22-54-108, C.R.S.; and

WHEREAS, the Board has determined that the total additional local property tax revenues generated by the tax increase plus any tax revenues generated pursuant to prior authorization will not exceed twenty-five percent (25%) of the District’s total program in compliance with Section 22-54-108, C.R.S.; and

WHEREAS, TABOR requires the District to submit ballot issues (as defined in TABOR) to the District’s electors on limited election days before action can be taken on such ballot issues; and

WHEREAS, November 7, 2017, is one of the election dates at which ballot issues may be submitted to the eligible electors of the District pursuant to TABOR; and

WHEREAS, the County Clerk and Recorder (the “County Clerk”) in each of Adams County, Weld County, and the City and County of Broomfield (collectively, the “Counties”) will conduct the election on November 7, 2017, as a coordinated election (the “election”); and

WHEREAS, it is necessary to submit to the eligible electors of the District, at the election, the proposition of increasing District taxes in excess of the District’s total program funding as determined pursuant to the School Finance Act, Title 22, Article 54, Part 1, C.R.S.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF BRIGHTON SCHOOL DISTRICT NO. 27J, IN THE COUNTIES OF ADAMS AND WELD AND THE CITY AND COUNTY OF BROOMFIELD, STATE OF COLORADO:**

Section 1. All action heretofore taken (not inconsistent with the provisions of this resolution) by the District and the officers thereof, directed towards the election and the objects and purposes herein stated are, ratified, approved and confirmed. Unless otherwise defined herein, all terms used herein shall have the meanings specified in Section 22-42-101, C.R.S. or Section 1-1-104, C.R.S.

Section 2. The election shall be conducted as a coordinated election in each of the Counties pursuant to TABOR, Article 42 and 54 of Title 22, C.R.S., and the Uniform Election Code of 1992, and all laws amendatory thereof and supplemental thereto. The election shall also be conducted by the County Clerk of each of the Counties. The District hereby determines that the election shall be held on November 7, 2017, and that there shall be submitted to the eligible electors of the District the question set forth herein. Because the election will be held as part of the coordinated election, the Board hereby determines that each County Clerks shall conduct the election on behalf of the District pursuant to the Uniform Election Code of 1992.

Section 3. The Board hereby authorizes and directs the officers of the District to certify on or before September 8, 2017, the following question in substantially the form hereinafter set forth to each County Clerk. Such question shall be submitted to the eligible electors of the District at the election.

BALLOT ISSUE NO. 3[ ]:

SHALL BRIGHTON SCHOOL DISTRICT 27J TAXES BE INCREASED \$12 MILLION BEGINNING IN TAX COLLECTION YEAR 2018, AND BY WHATEVER AMOUNTS AS MAY BE GENERATED ANNUALLY THEREAFTER BY THE IMPOSITION OF AN ADDITIONAL MILL LEVY OF NOT TO EXCEED 12 MILLS, BUT IN NO EVENT SHALL SUCH TAX INCREASE BE GREATER THAN THE AMOUNT PERMITTED UNDER SECTION 22-54-108, C.R.S., BY THE COLLECTION OF AD VALOREM PROPERTY TAXES FOR DEPOSIT IN THE DISTRICT'S GENERAL FUND FOR EDUCATIONAL PURPOSES, INCLUDING, BUT NOT LIMITED TO:

- RETAINING AND RECRUITING HIGH QUALITY TEACHERS AND SUPPORT STAFF; AND
- PURCHASING AND MAINTAINING INSTRUCTIONAL TOOLS AND MATERIALS, WHICH MAY INCLUDE TECHNOLOGY BASED ITEMS, TO SUPPORT THE INSTRUCTION OF STUDENTS;

WITH SUCH TAXES TO BE IN EXCESS OF PROPERTY TAX REVENUES THAT WOULD BE PROVIDED BY THE GENERAL FUND MILL LEVY PERMITTED UNDER STATE LAW WITHOUT SUCH INCREASE AND, TOGETHER WITH REVENUES FROM SPECIFIC OWNERSHIP TAXES ATTRIBUTABLE THERETO AND THE EARNINGS ON SUCH TAXES AND REVENUES, TO CONSTITUTE A VOTER APPROVED REVENUE AND SPENDING CHANGE UNDER, TO BE COLLECTED AND SPENT EACH YEAR WITHOUT LIMITATION BY THE REVENUE AND SPENDING LIMITS OF, AND WITHOUT AFFECTING THE DISTRICT'S ABILITY TO COLLECT AND SPEND OTHER

REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

Section 4. Lynn Ann Sheats is hereby appointed as the designated election official of the District for purposes of performing acts required or permitted by law in connection with the election.

Section 5. If a majority of the votes cast on the question to authorize the levy of ad valorem property taxes submitted at the election shall be in favor of levying ad valorem property taxes as provided in such question, the District acting through the Board shall be authorized to proceed with the necessary action to levy ad valorem property taxes in accordance with such question.

Any authority to levy ad valorem property taxes, if conferred by the results of the election, shall be deemed and considered a continuing authority to levy the ad valorem taxes so authorized at any one time, or from time to time, and neither the partial exercise of the authority so conferred, nor any lapse of time, shall be considered as exhausting or limiting the full authority so conferred.

Section 6. Pursuant to Section 1-11-203.5, C.R.S., any election contest arising out of a ballot issue or ballot question election concerning the order of the ballot or the form or content of the ballot title shall be commenced by petition filed with the proper court within five days after the title of the ballot issue or ballot question is set.

Section 7. The officers of the District are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 8. All orders, bylaws and resolutions, or parts thereof, in conflict with this resolution, are hereby repealed.

Section 9. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

ADOPTED AND APPROVED this August 22, 2017.

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Patrick Day, President  
Brighton School District No. 27J

(SEAL)

ATTEST:

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Lynn Ann Sheats, Secretary  
Brighton School District No. 27J

STATE OF COLORADO )  
 )  
 COUNTIES OF ADAMS AND WELD )  
 AND THE CITY AND COUNTY OF )  
 BROOMFIELD )SS.  
 )  
 BRIGHTON SCHOOL DISTRICT )  
 NO. 27J )

I, Lynn Ann Sheats, the duly qualified and acting Secretary of Brighton School District No. 27J (the “District”), in Adams and Weld Counties and the City and County of Broomfield and State of Colorado, do hereby certify:

(1) The foregoing pages are a true and correct copy of a resolution (the “Resolution”) introduced at a regular meeting of the Board of Education of the District (the “Board”) on August 22, 2017.

(2) The Resolution was duly moved and seconded and the Resolution was adopted at the regular meeting of August 22, 2017, by an affirmative vote of a majority of the members of the Board as follows:

Name	“Yes”	“No”	Absent	Abstain
Patrick Day, President				
Roberta Thimmig, Vice President				
Lloyd Worth				
Greg Piotraschke				
Jennifer Venerable				
Rick Doucet				
Blaine Nickeson				

(3) The members of the Board were present at such meeting and voted on the passage of such Resolution as set forth above.

(4) The Resolution was approved and authenticated by the signature of the President of the Board, sealed with the District seal, attested by the Secretary and recorded in the minutes of the Board.

(5) Notice of the meeting of August 22, 2017, in the form attached hereto as Exhibit A was posted at the District offices, in Brighton, Colorado, not less than 24 hours prior to the meeting in accordance with law.

(6) There are no bylaws, rules or regulations of the Board which prevent the immediate adoption of the Resolution set forth in the foregoing proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said District, this August 22, 2017.

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Secretary

(SEAL)

**EXHIBIT A**

The notice of this meeting was posted on Thursday, August 17, 2017 at:

The Educational Service Center  
18551 E. 160<sup>th</sup> Avenue  
Brighton, CO 80601

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Lynn Ann Sheats – Board of Education Secretary